

# **EXHIBIT B**

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1 UNITED STATES DISTRICT COURT  
1 SOUTHERN DISTRICT OF NEW YORK

2 -----x

3 IN RE: TERRORIST ATTACKS  
3 ON SEPTEMBER 11, 2001

03MDL1570(GBD)(FM)

4 -----x

5 June 23, 2011  
6 11:35 a.m.

7 Before:

8 HON. FRANK MAAS

9 Magistrate Judge

10 APPEARANCES

11 ANDERSON KILL & OLICK

11 Attorneys for O'Neill Plaintiffs and PECs

12 JERRY S. GOLDMAN

13 COZEN O'CONNOR

13 Attorneys for Federal Insurance Plaintiffs and PECs

14 SEAN P. CARTER

14 J. SCOTT TARBUTTON

15 MOTLEY RICE

16 Attorneys for Burnett Plaintiffs and PECs

16 ROBERT T. HAEFELE

17 CLIFFORD CHANCE

18 Attorneys for Defendant Dubai Islamic Bank

18 BY: RONI BERGOFFEN (via telephone)

19 McMAHON & ASSOCIATES

20 Attorneys for Defendants IIRO, MWL and Wa'el Jelaidan

20 BY: MARTIN McMAHON (via telephone)

21 STEVEN BARENTZEN (via telephone)

22 Attorney for Defendant Jamal Barzinji

23  
24  
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1 orphans and we can't just push a button in the computer and  
2 that spits itself out; we have to go in and do the hard copies.

3 THE COURT: Let's clear that up. Mr. Carter, whoever  
4 wants to chime in, do you want the list of orphans?

5 MR. CARTER: Your Honor, we don't. We discussed this  
6 very issue at the April 12 hearing. We had a colloquy with the  
7 court during which you said, I take it you don't want the  
8 orphan records, and we said, correct, your Honor. We followed  
9 up with emails subsequently making clear that we don't want the  
10 orphan records. So the fact that we are continuing to have  
11 this same discussion is a source of frustration.

12 MR. McMAHON: I just didn't want the record to reflect  
13 that we didn't put together these orphan records because at  
14 some point I thought they were looking for the beneficiaries of  
15 IIRO-SA distributions worldwide.

16 THE COURT: At some point they were, but since April  
17 they haven't been, and I think one of my orders may even have  
18 said excluding orphan records or maybe I am not recalling that  
19 accurately. So I don't understand why in late June we are  
20 talking about the orphan records.

21 MR. McMAHON: If it's no longer an issue, that's  
22 great. I want to get back to your question to me. You don't  
23 know this, I put this into the email to Sean, that until some  
24 document is signed by the Saudi government with the charities,  
25 the charities are unable to send any moneys out even for

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1 attorney fees, so I am way behind on payment of attorney fees  
2 and they can't even send me money for an airplane ticket and I  
3 just can't finance that, your Honor.

4 I want to make sure you understand on the record that  
5 they are frustrated because the kingdom will not allow them to  
6 send out funds until such time a certain document is signed. I  
7 have spoken with or emailed with the kingdom's attorney,  
8 Michael Kellogg, and he is trying to help me on that issue.  
9 But until such time that that's resolved, I couldn't go over  
10 there.

11 We have been on Skype with Mr. al Rahdi a great deal  
12 in the interim. I think we have narrowed our differences. I  
13 also sent a couple of emails to Sean about the fact that we  
14 received in these banking records for IIRO-SA, but they are  
15 very lightly printed, so I said do you have somebody come down  
16 and just go through this and see if you want to take a shot at  
17 copying all the banking records for IIRO-SA.

18 We also had another file. The reason I am not up  
19 there today, we have a translator in today. They can't even  
20 afford to pay for a translator, so this is coming out of my  
21 pocket again. I want to spend some time with the translator to  
22 see what other documents we just received in. I think they are  
23 very responsive. And as I say, at the close of business today,  
24 I was going to send Sean an email saying these are the new  
25 records we got in.

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